

Amendment No. 1 to SB2650

Southerland
Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 2650

House Bill No. 2571*

By deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 50-6-102, is amended by deleting subdivision (2) in its entirety and by substituting the following language:

(2) "AMA Guides" means the American Medical Association Guides to the Evaluation of Permanent Impairment, American Medical Association. The edition that is in effect, pursuant to § 50-6-204, on the date the employee is injured, is the edition that shall be applicable to the claim;

SECTION 2. Tennessee Code Annotated, Section 50-6-204(d)(3)(A). is amended by deleting the phrase "as established in § 50-6-102", so that, as amended, Tennessee Code Annotated Section 50-6-204(d)(3)(A) reads as follows:

(3)(A) To provide uniformity and fairness for all parties in determining the degree of anatomical impairment sustained by the employee, a physician, chiropractor or medical practitioner who is permitted to give expert testimony in a Tennessee court of law and who has provided medical treatment to an employee or who has examined or evaluated an employee seeking workers' compensation benefits shall utilize the applicable edition of the AMA Guides or in cases not covered by the AMA Guides an impairment rating by any appropriate method used and accepted by the medical community.

SECTION 3. Tennessee Code Annotated, Section 50-6-204(d)(3)(C), is amended by deleting the subdivision in its entirety and by substituting the following language:

(C) The commissioner shall have the authority to determine the date on which the most recent edition of the AMA Guides becomes effective for the purposes of this

chapter. The most recent edition of the AMA Guides shall become effective for the purposes of this chapter no later than six (6) months after the date the most recent edition is released unless a cost analysis contracted by the commissioner produces a conclusion that the implementation of the most recent edition would result in an overall increase in the expenses to the workers' compensation system. In the event the cost analysis produces a conclusion that the most recent edition will result in an overall increase in the expenses to the workers' compensation system, the commissioner may delay the implementation of the most recent edition until such time as the cost analysis produces a conclusion that the most recent edition will not result in an overall increase in the expenses to the workers' compensation system. The commissioner shall maintain the full titles of the various editions of the AMA Guides and the dates for which each edition is effective on the department's website.

SECTION 4. This act shall take effect upon becoming law, the public welfare requiring it.